

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVEN R. MIRONOWSKI and
RUBEN MIRONOWSKI,

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

Case No. 1:22-cv-00675-JLT-CDB

ORDER ON STIPULATION AMENDING
SCHEDULING ORDER

(ECF No. 22)

Pending before the Court is the parties' stipulation for an order extending the discovery, motion, and trial schedule by approximately 90 days, filed May 10, 2023, and a later-filed declaration of counsel for Plaintiff in support thereof, filed May 16, 2023. (ECF Nos. 22, 24). The stipulation is timely filed pursuant to Local Rule 144(d).

On September 1, 2022, the Court granted the parties' request set forth in their joint scheduling report and ordered a nine-month period within which to complete non-expert discovery. (ECF Nos. 7, 8). In their joint mid-discovery status report, which required the parties to identify any impediments to completing discovery timely (*see* ECF No. 8 at 3), the parties represented that depositions remained to be conducted but otherwise did not indicate that additional time would be required.

In his declaration in support of the parties' request for an extension of discovery dates,

counsel for Plaintiff attests that written discovery was provided by both parties months ago and that the parties continue to confer on timing of depositions. (ECF No. 24 at ¶¶ 3-5). Although not directly linked to the instant request for an extension of discovery dates, counsel for Plaintiff attests that the parties intend to proceed to mediation on May 24, 2023.

The Court clarifies for the parties that, absent a stay of the action, seeking to delay discovery to pursue private mediation does not constitute good cause for amendment of the case management schedule under Rule 16(b)(4), Fed. R. Civ. P. Nevertheless, because the parties' efforts to complete discovery timely as set forth in the stipulation and supporting declaration appear to demonstrate reasonable diligence, the Court finds good cause for the brief extension requested and encourages to complete all discovery within the time frames set forth in the amended Scheduling Order set forth below.

Accordingly, based on the parties' representations in the stipulation and supporting declarations, and for good cause shown, IT IS HEREBY ORDERED that the following case management dates and deadlines are amended:

1. Fact discovery cutoff from June 5, 2023 to **September 4, 2023**;
2. Expert witness disclosure from June 12, 2023 to **September 11, 2023**;
3. Disclosure of rebuttal experts from July 10, 2023 to **October 9, 2023**; and
4. Expert disclosure cutoff from July 17, 2023 to **October 16, 2023**.

In all other respects, the dates and provisions set forth the Scheduling Order (ECF No. 8) remain unchanged and in full force and effect.

IT IS SO ORDERED.

Dated: **May 16, 2023**


UNITED STATES MAGISTRATE JUDGE